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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,192	03/11/2004	Kao-Cheng Hsieh		4738

2292 7590 03/22/2007  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/22/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/22/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/797,192

Applicant(s)

HSIEH, KAO-CHENG

Examiner

Kevin M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**Response to Arguments**

1. Response to applicant's amendment/argument filed on 1/17/2007, the independent claim 1 is amended. Applicant's arguments, see pages 4-6, with respect to the amended claims 1 and 3-6 have been fully considered and are not persuasive. The amendment necessitated the new ground of rejection presented in this Office action.

**Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shafer (US 6,147,719).

4. As to claim 1, Shafer discloses a wireless human input device (32) comprising:

at least one wireless human transmitting unit, generating different leading signals and data signals, and transmitting said signals (*a remote control 32 contains a transmitting device such as the light emitting diode 44 generated and transmitted two pulses having leading edges differing by 100ms, and different data packets of a keyboard 26 and a trackball 24, fig. 5, col. 2, lines 28-31, col. 4, lines 15-17*); and

a wireless human receiving unit, receiving all the leading signals for identifying said wireless human transmitting unit and receiving the data signal corresponding to the

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leading signals (*a receiver 50 including a detector 52 receives the transmitted two pulses having leading edges differing by 100ms, and different data packets of the keyboard 26 and the trackball 24, fig. 5, col. 4, lines 35-65*);

wherein the leading signals have preceding waveform signals with different waveform lengths for identifying said wireless human transmitting unit (*the different leader pulses of the keyboard 26 and the trackball 24 comprise a dead time 92 precedes the leader and a dead time 100 precedes a leader sequence 102, figs. 5 and 6, col. 4, lines 66-67, and col. 5, lines 20-22*).

5. As to claim 3, the wireless human input device as claimed in claim 1, wherein said wireless human transmitting unit is a wireless mouse transmitting unit, a wireless keyboard transmitting unit or a wireless touch pad transmitting unit, *whereas Shafer discloses the wireless keyboard 24, and the wireless trackball 26, fig. 2, and col.4, lines 1-10*.

6. As to claim 4, the wireless human input device as claimed in claim 1, wherein said wireless human receiving unit is commonly used for said at least wireless human transmitting unit, *whereas Shafer discloses a single receiver 22, fig. 2, col. 4, lines 5-8*.

7. As to claim 5, the wireless human input device as claimed in claim 1, wherein said wireless human transmitting unit at least includes a first electronic circuit device for generating said leading signals, *whereas Shafer discloses the time base 40 within a remote control 32 which is a first electronic circuit, fig. 3, col. 4, lines 9-15*.

8. As to claim 6, the wireless human input device as claimed in claim 1, wherein said wireless human receiving unit at least includes a second electronic circuit device

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for identifying said leading signals, *whereas Shafer discloses a preamplifier 62 within the receiver 50 detecting the incoming two leading pulses which is a second electronic circuit, fig. 4, col. 4, lines 27-35.*

### ***Response to Arguments***

9. Applicant's arguments with respect to amended claims 1 and 3-6 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 9:00-6:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, a supervisor RICHARD A. HJERPE can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kevin M. Nguyen  
Primary Examiner  
Art Unit 262929

KMN  
March 14, 2007